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ABSTRACT

Dealing with a variety of issues related to media ethics and press responsibility, this report presents 12 essays on editorial policy and reporters' responsibility. The essays discuss the following: (1) a reporter who posed as a jail officer to gain entry into a prison to interview an inmate, (2) a journalism professor's opinion as to the ethics of the above-mentioned tactic, (3) a newspaper editor's opinion as to the ethics of the above-mentioned tactic, (4) the right to know versus the right of privacy in reporting the names of violent crime victims, (5) a survey indicating that editors are observing some considerations of privacy in reporting violent crimes, (6) a multiple choice test in which the reader may decide editorial policy on stories that may infringe on the subject's right of privacy, (7) the conflict of interest issue of a reporter elected to the local school board, (8) the ethics of journalists at an economic summit consuming free food and drink supplied by private companies and trade associations, (9) the right of editors to limit reporters' outside activities to avoid conflicts of interest, (10) a survey of the codes of ethics observed by campus newspapers, (11) a survey on the use of unnamed sources in news stories, and (12) reporters' responsibility in reporting or preventing a crime in progress. (HTH)

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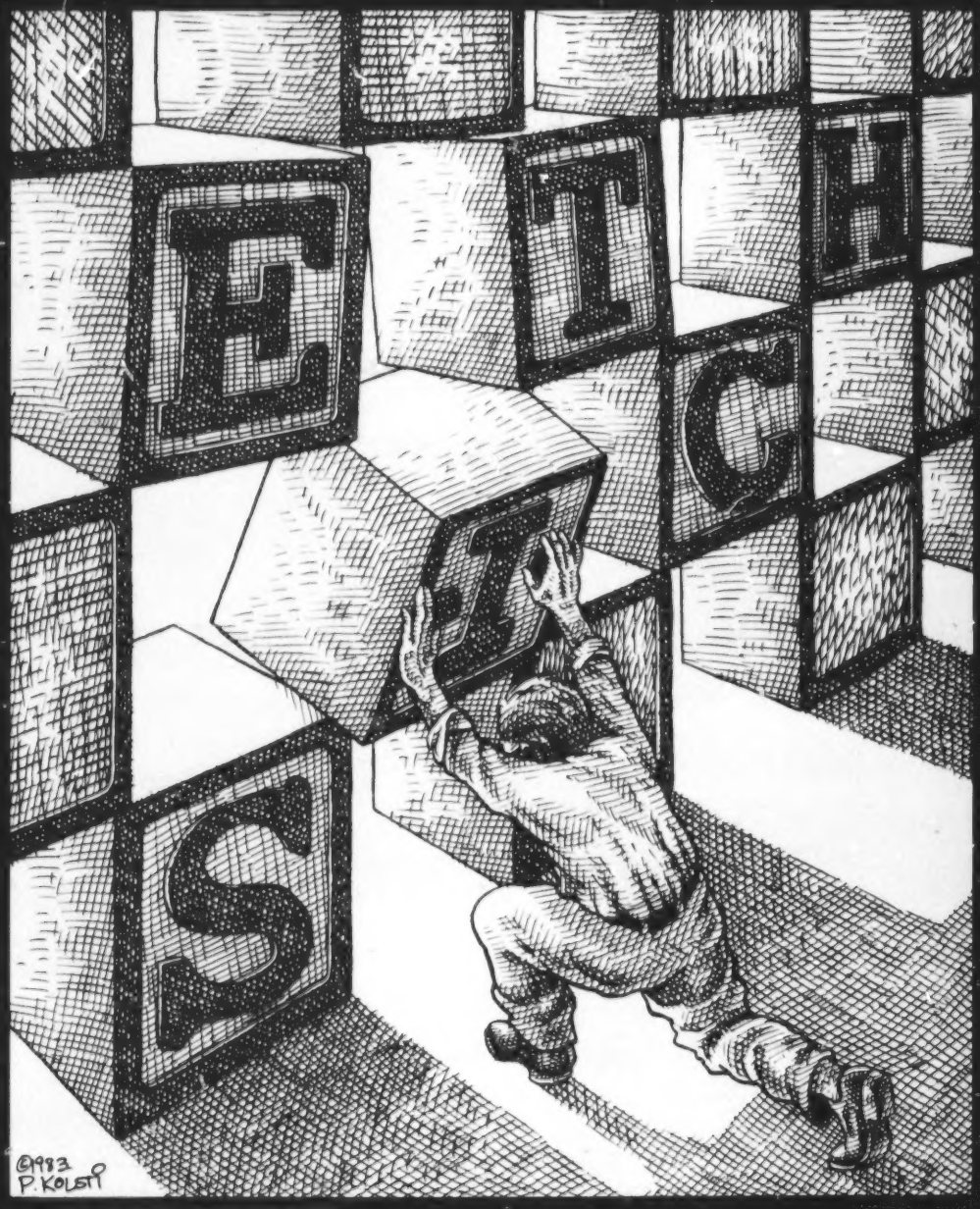

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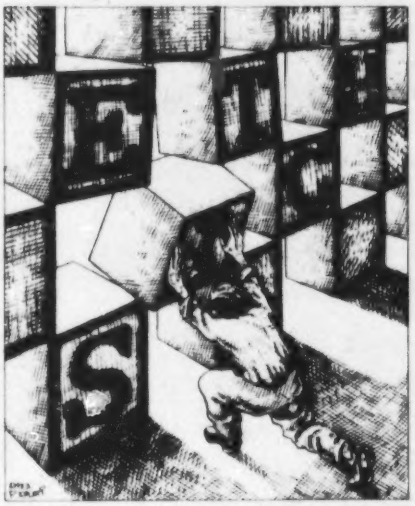
By Robert Baker
Fredricksburg Free-Lance Star



Reporter Dave Roman of the *Potomac News* was en route to Virginia's Mecklenburg state prison to interview a prisoner on death row when he had second thoughts.

Should he be wearing a jail sergeant's badge to gain entry to the prison?

Earlier that day, Jan. 4, Roman had met with the superintendent of the Prince William County regional jail, William Britton, who offered to take the reporter to the prison for the interview.

But Britton had to back out. Instead of escorting Roman, he gave him a jail sergeant's badge and said Roman was a sergeant for the day. He designated another jail official to accompany the reporter.

But as the car neared the end of the 160-mile trip to the state prison, Roman wondered if he would be doing anything wrong by entering the prison as a sergeant. "Wait a second, I thought," Roman said in recounting that moment. But "Britton as superintendent of the jail has authority to make me sergeant for the day, so I said OK."

Roman signed at the prison check-in station with his own name and under the title heading put the name of the jail back home. He got his interview, a good story — and grief.

The episode sparked ethical debates among journalists and dampened the morale of the highly regarded newspaper in Woodbridge, Va., in the far suburbs of Washington, D.C.

The newsmen directly involved in the episode have talked freely for this report so that we can learn from, and argue about, the issues and decisions.

When reporter Roman returned from the interview, he told his editors about his second thoughts of gaining entrance to the prison as a jail sergeant. The editors, including Publisher Paul Muse, told him they could not condone deception and would not publish Roman's interview story.

Then the jail superintendent, Britton, was suspended and his lawyer blamed the reporter's deception as a principal cause. Other newspapers picked up that story.

To clear the air and for the sake of accuracy, the *Potomac News* on Jan. 11 published a first-person story by Roman on how he obtained the interview. The story used the word "ruse" and the headline read: **Deception used to get to inmate.**

Publisher Muse still would not print the interview story itself. It was a vivid account of how Joseph LeVasseur, convicted of the brutal murder of a 19-year-old woman, had been raped by other inmates on death row.

The newspaper would have to get the story again and without deception, Muse contended. He told Roman that the newspaper would not aid in his defense if the deception resulted in charges.

A few days later, Roman went to his editors with a letter from LeVasseur, who made it clear that he knew Roman was a reporter during the interview. He urged the newspaper to publish the story so the public would learn what goes on in prison, even on death row.

At first, Muse rejected Roman's appeals. Then he relented.

"How we had gotten the story already had been published," Muse said. "A great deal of curiosity had been created by that story and stories published in other papers. And so we decided to publish."

The interview was published Jan. 14 under the headline: **"LeVasseur the murderer now the victim."**

Again Muse had advised Roman that the newspaper would not defend him against any charges.

Charges weren't long in coming. State corrections officials charged reporter Roman with impersonating a law officer and falsifying an official document.

In a *Potomac News* story on the charges, Publisher Muse said: "We regard Mr. Roman as a fine, sensible news reporter and he retains our full confidence."

But Muse also stated the paper did not condone Roman's actions and so was not contributing to his legal defense. That decision dismayed many staffers. A "Save Dave Committee" was formed, held potluck suppers and distributed flyers to raise money for legal fees.

"This was not a First Amendment case nor had our rights been violated," Muse said. "We could not defend him because he had done something we could not condone."

Muse compared the issue with a newspaper carrier charged with stealing something from a customer. The paper would not defend the carrier.

"The paper's decision not to defend me makes it really tough," Roman said. "I make $15,000 a year and my ex-wife gets a good chunk of that. My attorney wants $5000 for my defense."

He acknowledged that Muse had told him from the beginning that the paper would not defend him. "But some people, including me, thought it would if I were charged with something, especially after it published the interview story. I feel the paper let me down.

"I'm a real team player and I still respect the paper. But this has put a real chill on the staff. You know, if you have something that is at all questionable, then don't do it."

Says Jeff Byrd, assistant managing editor who participated in decisions in the episode:

"We published the story and I think it unfortunate we are not defending him against the charges, not only because I think we should as a matter of ethics, but for staff morale.

"Morale has suffered. Staffers don't get big salaries here but they like the paper. Now the word is out that management won't support you when you're in trouble."

With the advantage of hindsight, what have the principals learned? What would they have done differently?

Publisher Muse says the reporter and editors should have communicated thoroughly before Roman went about getting the interview. They should have asked authorities for permission to interview the prisoner and, if denied, the newspaper should have gone to court and gotten it done.

"As for posing, "Muse says, "at times, for very compelling reasons, when crucial information for a vital story can be gotten in no other way, then posing may be acceptable — but then only with the complete knowledge and permission of the editor."

Says reporter Roman:

"I should have contacted the editor when the arrangements were made and said, 'Hey, what do you think.' I'm sure he would have said don't do it that way.

"I intended to accompany Britton as a reporter. When he couldn't go, I should have said I would wait until he could or I should have asked corrections officials for the interview or I should have asked LeVasseur for the interview or I should have asked Britton to write LeVasseur . . . "

Says editor Byrd:

"We learned that come hell or high water, you've got to stop to think what the hell you're doing. In this case, I just sort of went along with the drift. You know, you're making decisions, decisions, decisions.

"Papers have to make sure editors have the help and time to make decisions. You know, what are you doing on the phone, answering questions by the garden club lady, when you have to decide issues like this?"

The *Potomac News* shares with many newspapers the absence of a code of ethics of its own. It uses the code of Sigma Delta Chi as a general guide. From time to time it discusses ethical questions in its regular weekly staff meetings.

Did it have a clearly enunciated policy against posing before the Roman visit to death row?

"No, not that I know of," says editor Byrd. "But we do now."

At the April 8 hearing in the county court where the state prison is located, the judge dismissed the felony charges of forgery. But he convicted Roman on a misdemeanor count of impersonating an officer and handed down a suspended 6-month jail sentence and $500 fine.

In his testimony, Roman said he believed the local jail superintendent had the power to swear him in — "just like in the movies where the marshal rides into town."

After the hearing, Roman said

he had been convicted "of trusting a law enforcement official" and noted an appeal.

Some of his legal expenses were paid with donations from merchants and public officials.

"So it's ironic," said Roman, "that, when the paper didn't help my defense financially, I was put in the position of having to accept money from other sources, posing a conflict there."

He felt it was time in his career, even before the prison interview episode, to change papers.

"If nothing else," he says, "the prison interview shows I'm aggressive. I go after stories."

PROLOGUE:

When Roman completed his 10 day sentence in Mecklenburg, Va., county jail for impersonating an officer, he said:

"It was a bizarre vacation."

Nearby was the state penitentiary where nine months earlier Roman had gained entry to interview a death row prisoner by wearing a sergeant's badge.

After his newspaper published the story and told how it was obtained, Roman was charged with impersonation, convicted in county court in April, fined $500 and given a 6-month suspended sentence.

He appealed to the state circuit court, where in August a jury found him guilty, increased his fine to $1,000 and imposed a 30-day jail sentence. The judge reduced the sentence to 10 days.

Mounting legal expenses and the possibility of getting an even stiffer sentence convinced Roman he should not appeal again.

"At some time, you have to cut your losses," said Roman as he entered jail Sept. 9. "I want to get it over with. I want to get on with the next part of my life."

He used vacation time accrued at his newspaper to serve jail time.

Emerging from jail Sept. 19, Roman said he had spent the 10 days reading books and magazines, playing cards and checkers. The other inmates were nonviolent and "fairly decent," he said.

The next day he was back at his work at The *Potomac News* which had not helped with his court costs because it could not condone the deception he used to get his story. But it had assured him of his job when he got out of jail.

A PROFESSOR'S OPINION

By Dr. Louis V. Hodges

Washington and Lee University

"The interesting and important thing is that despite a series of what I think to be bad judgments, the job got done and the public was informed about a rape in prison," says Dr. Louis V. Hodges in commenting on the deception by reporter Dave Roman.

Hodges is director of Society and the Professions: Studies in Applied Ethics at Washington & Lee University. He teaches journalism ethics there and conducts seminars around the country.

The story about the rape of a prisoner should be told because the public needs to know about an unwillingness to protect prisoners from each other, Hodges says. He makes these points:

— The reporter should have tried every avenue other than deception to get the story. If these efforts failed, deception in this case would be "morally obligatory" because the importance of the story would have outweighed the seriousness of the deception.

"No one was put at risk by the deception in the way people might be at risk if the reporter posed, for example, as a doctor or fireman."

— The reporter should have talked with his editors about his planned method of obtaining the interview. But he showed moral responsibility in telling them about the ruse after the interview.

But what about the newspaper's decision not to defend the reporter after publication of the story?

"I think the editors were irresponsible in leaving him out in the cold unless it was clear to them that the reporter had knowingly and willingly violated a clearly established company policy.

"If the editors have in the past made a reasonable effort to see to it that the entire staff understands the policy on deception, then this reporter was taking action on his own and putting himself at risk . . .

"It is possible to defend the reporter and still not condone deception. It is perfectly possible for a company to lend support to an employee while not condoning that employee's behavior in a given case.

"In this case the reporter was defending against the charge that he had violated the law. The editors apparently were convinced ahead of time that he had violated a moral principle and thus was judged guilty in advance of the trial. Moral guilt and legal guilt are two different things."

Hodges, a professor of religion, stressed that the public benefited from the story, despite questionable judgments in its preparation.

"I am reminded of a comment once made to me by an elderly layman.

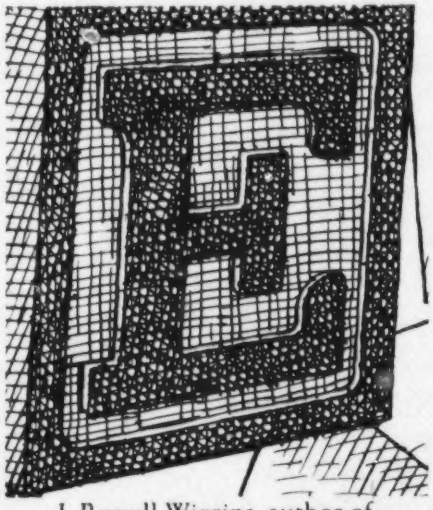
" 'Son,' he said, 'God's probably going to survive even preachers and churches.'

"I have an equally strong hunch that, at least in the long run, truth will survive even journalists and reporters."

AN EDITOR'S OPINION

By J. Russell Wiggins

The Ellsworth American



J. Russell Wiggins, author of ASNE's Declaration of Principles on the public's right to know, long has been a critic of reporters posing as law enforcement officers.

He was referring to no specific case but to the issue in general when he recently wrote the following notes:

"The press has for many years been engaged in a fight to defend its legal right to gather news. The very fact that it makes the effort suggests that it does not intend to use illegal methods. If reporters are indifferent to laws, why bother to get them changed to insure a right to gather news? If they intend to lie, cheat, steal and defraud others to get news, why worry about 'legal' rights?

"The laws against impersonating an officer impinge on no First Amendment rights. They are directed at offenses that imperil the state, offenses which, if countenanced, would prejudice the safety of persons in penal institutions. Misrepresentation of identity by a reporter is in these circumstances illegal and, in many other cases where it is not illegal, it is clearly unethical. We are generally pretty strong for defending the right of accused persons under police interrogation. We ought to be in favor of the rights of those under reporter interrogation, too. The citizen is entitled to know that his interrogator intends to broadcast his statements to the world. They may be statements as damaging to him as statements made to the police.

"The press rightly resists the use of press credentials by agents of government; it should as firmly resist the use of government credentials (falsely) by reporters. Deceit of this kind may now and then produce a story not otherwise obtained. The more it is used, the less effective the tactic will be and the greater the public distrust of the integrity of the press."

Wiggins, editor and publisher of the Ellsworth American in Ellsworth, Maine, and former editor of the *Washington Post*, was president of the American Society of Newspaper Editors in 1959.

VICTIMS NAMES: RIGHT TO KNOW VS. RIGHT TO PRIVACY

By Dan Lynch
Albany Times Union

The attacks came late on the night of June 2, 1982, within a half hour of each another.

Each victim was a woman in her 20s. Each was walking alone in Albany's Pine Hills section when a man with a sharp knife attacked her, slashed at her throat and ran away, leaving his victim bleeding and screaming.

In Albany, that's page one.

My newspaper reported the names of the victims as given out by the police, and — after some consultation among the editors on duty — withheld their precise addresses in case the slasher decided to go back to finish the job. All well and good. Until the father of one of them called. Why, he demanded, had we printed her name at all?

Because it was news, we told him. The identities of crime victims are public record and a matter of legitimate interest to readers. Besides, we pointed out, we'd withheld the addresses.

Big deal, he told us. The slasher knew his daughter lived in the neighborhood and that she could pick him out of a lineup. The only pertinent piece of information he'd lacked was her name. Because the woman was listed in the phone book, he said, it wouldn't take a genius to figure out where she lived.

Were we all crazy out there at the newspaper, he wanted to know? To us, she was just another name in another story, but she was his daughter and we had put her at risk.

A hasty conference of editors followed that phone call, the result being that we didn't identify either woman again until a suspect was caught and went on trial. He was convicted.

The question of when to withhold information, especially a name or an address, is always dicey. Newspaper people — by training, instinct and inclination — tilt toward printing everything we can find out.

While most of us routinely withhold the names of confidential sources — and battle fiercely to protect our right to do so — we at the same time withhold names of crime victims or other relevant information with great reluctance. If we do hold back on printing something, it's generally in cases in which sex crimes or the actions of juveniles are involved or where there is an obvious danger to an innocent person if his or her name is printed.

And sometimes, on deadline, we may not give enough thought to the question of whether our printing a name or an address might put a victim in danger. Not all daily newspapers have policies on the withholding of names or other pertinent information in crime stories. But in sex crimes, at least, most of us operate under a policy much like the one William B. Ketter, editor of the Quincy, Mass., *Patriot-Ledger*, outlined last summer in a column for his readers.

He said: "It has long been our practice to omit the identity of alleged rape victims on the basis that to do otherwise could cause public humiliation and possibly psychological damage . . . We are also concerned that publishing the name of a victim might well discourage other women from coming forward and pursuing sex crime cases in court. There remains a social stigma to rape, and some medical experts say that rape trauma syndrome — the victim's enormous sense of loss of control — is made worse when the woman is publicly identified."

Yet, Ketter went on, " . . . there are times when we do print the names of rape victims — times when there is a compelling reason for the public to know their identity. These generally include when the victim is killed, a kidnapping is involved or a public figure is attacked . . . We would also publish the woman's name if the alleged victim were charged with filing false information. Or, in other words, deliberately lying to the police or court."

The policies Ketter outlined are in effect at many — but by no means all — newspapers, according to a study on rape case coverage conducted last year by Carol E. Oukrop, and associate professor at Kansas State University.

According to her findings, 67 percent of 375 editors from around the country who responded to her survey believe that the name of an adult rape complainant should not be printed. And of those who felt it should be printed, only 9 percent thought it should be in the first story on the filing of a formal complaint.

Of those editors who thought the woman's name should appear, by far the largest percentage (36) would hold off until the trial. The study also revealed that most editors disagree with Ketter on one point; most of them would not print the name of the victim even if she was "prominent," or a public figure.

But the Oukrop study also revealed that many editors who operate under policies like the one in effect in Quincy are uncomfortable, at least to some degree, with the decisions they've made to balance the public's right to know against humane concern for the victim.

As one editor said to Oukrop: "We do use a different standard for rape coverage than other crimes. I have to wonder whether our not using the names of the victims merely postpones the day when there will be no stigma at all. Implicit in our not using names is the subtle suggestion that there is some sort of shame in being a victim."

Another said: "I think the best way to destigmatize rape is to treat it like any other crime, though I know that many victims would disagree."

Still another told researchers that pressure against reporting names and addresses in crime stories — primarily burglary and rape cases — has been particularly intense and added: "They want us to report on a faceless, nameless society."

All of us have gotten phone calls from victims of routine crimes who complain that our printing their names invades their privacy, adds to their pain or makes them targets.

Most of us print standard details like names and addresses in routine crime stories more as a result of reflex than reflection. We do it because that information is part of the public record, and one of the things a newspaper should do is to bring as much of the public record to our readers as we can manage. We include names and addresses because such material lends credibility to our reporting. We do it because we've always done it, because that's the way we learned it. And, except in sex crimes, we try to avoid treating any individual or class of individuals unequally.

But the doubts expressed in the Oukrop study and the complaints we all receive highlight several questions we ask ourselves all too seldom in the daily struggle to produce our newspapers.

Are we doing our readers a service when we withhold information in the public record?

Should we as a matter of course print the names and addresses of people whose only claim to notoriety is their hard luck in becoming crime victims?

To what extent are newspapers responsible for the bad things some of our less admirable readers might do using information brought to them in their newspapers?

Should we take the weight of the world on our shoulders and manage the news for worthwhile social goals or should we limit ourselves to fulfilling as completely as possible our function of telling the folks what's going on?

None of these questions is easy to answer, and I certainly won't attempt to answer them here. But the Missouri Court of Appeals dealt with them recently in a case against the firm that publishes the Columbia, Mo., *Daily Tribune*. A woman named Sandra Kay Hyde had told Columbia police she had been abducted at gunpoint and escaped. She gave police a description of the man and his car, and the newspaper dutifully printed the story, including Hyde's address and the descriptions she provided authorities.

After the story appeared, Hyde was allegedly subjected to considerable harassment from the alleged kidnapper, who was still at large and supposedly accosted her at home and at work and threatened her. Hyde responded by suing the newspaper and the city for $50,000, claiming that she'd suffered severe nervous and physical disorders and mental anguish.

The newspaper appealed to the U.S. Supreme Court in an effort to avoid a trial, and when the court — without a single justice dissenting — refused to hear the appeal, the newspaper and the city settled.

In the course of this dispute, the Missouri Court of Appeals decreed that the press can avoid liability in such cases as long as it refrains from publishing news stories that involve "a matter of trivial public concern compared with the high probability of risk" to the subject of the story as a result of publication. In short, the ruling makes newspapers responsible for the actions of its readers, and the accurate and truthful disclosure of a name and address can be considered "negligent." In addition, it puts judges as well as editors in the position of deciding how newsworthy a story might be.

The effect of this decision as a precedent is obviously untested so far. It's something for editors to ponder.

I asked several questions — in both general and specific terms — of a number of people not involved in putting out daily newspapers.

Not a scientific survey. Only one of the people has any connection with newspapering, as a journalism teacher. A few others get their names in newspapers once in a while. But most are just readers, and they turn out to have views not unlike those of us editors — mixed.

Judy Condo is the director of Albany's rape crisis center. While she feels that it's true, to a certain extent, that newspapers perpetuate the myth that a rape victim is "damaged goods" by withholding victims' names, she also insists that we don't operate in a "cultural vacuum." Yes, she says, it is true that withholding the name of a woman in a rape case pays homage to an unfair stereotype of a victim responsible for the crime, but she thinks we have to "wait until society can catch up . . . That stereotype is there; that's reality."

Oukrop, in her study, cites an article from a 1981 scholarly publication called the "Journal of Social Issues" which provided evidence that such stereotypical views — referred to as "rape myths" — are more likely to be held by rapists than by males in the general population.

Stephen R. Coffey, an Albany defense attorney, agrees with Condo up to a point. He thinks withholding the woman's name makes perfect sense until she enters an open courtroom and enters her accusations in court record as evidence.

"From a defense point of view," he says, "her name should be printed . . . If she goes to trial, yeah. It's tough. It's demeaning. But if she gets up on the stand and there's no clear and present possibility of her being damaged, you should use it."

Oukrop's survey of editors revealed that most editors don't feel that the use of a victim's name in a rape case story puts her in danger. One editor who felt it would added that the danger would be "harassment." And another said simply; "I found myself simply not knowing the answer."

Oukrop says: "It's clear in many of the comments I received that a number of today's editors believe that not naming the victim further contributes to (the stigma). At present, however, the main reason for not using the name seems to be concern for the victim. If naming the victim will inflict further hurt, names will not be used in most cases."

Coffey, who has said publicly that "I want a completely fair, unbiased and impartial jury — if that's the best I can get," points out that not everyone accused of a sex crime is guilty. And, he says, many of those so accused have family and friends who are wounded not only by the publicity surrounding the case but also by the fact that their friend/relative's accuser evades such public scrutiny.

Coffey says: "The basic assumption (in not naming the complainant), when you think about it, is that the guy is guilty." The Oukrop study asked editors if withholding the complainant's name in a judicial proceeding "mocks the intent of the Sixth Amendment for a public trial." Most editors felt that withholding the name did no damage. One told the researchers: "The trial is still public. The intent of the Sixth Amendment is to prevent Star Chamber proceedings, not to ensure press coverage."

Another, however, had this to say: "We editors live in dread of trampling the rights of the accused while trying to protect the victim . . . Because the law clearly provides that the accused has a right to face the accuser, it could be argued that such a right extends into the court of public opinion."

Daniel R. Taylor, a country lawyer who spent 14 years as the district attorney of a small, rural county in New York, sees no inequity in naming the accused but not the complainant. "If it turns out that the male arrested was wrongfully charged," Taylor says, "he has the opportunity for civil redress."

On the other hand, Arlene Vanderhoof, a bookkeeper who lives in Bricktown, N.J., says the woman's name should be printed if "she goes public with it, which is what going to court is . . . If it goes to court, it's a matter of public record. Anybody could get that information."

Terry Uhr, an electrical supply dealer from Cherry Hill, N.J., sees no reason why the complainant's name shouldn't be used — if she agrees. "It should be her choice," Uhr says. "I don't think anybody would object to their name being printed if they got mugged, and I don't see a lot of difference."

According to the Oukrop study, most editors of small newspapers (52 percent) agree with Uhr that the decision should rest with the complainant, but among editors of medium-sized papers, that figure dips to 48 percent and it goes down to 41 percent when the editors of large papers are asked if they agree. One editor said that a rape victim might be understandably distraught and not in proper condition to make a considered decision.

Terry Haag, a housewife from Waterford, Conn., says: "No. That's a personal crime. It's bad

enough without having it dragged through the papers." Like 82 percent of the editors Oukrop surveyed, Haag has no objection to printing the name of the accused, but adds: "But wouldn't it be awful if he didn't do it?

Carl Jensen, a wine grape grower from Watkins Glen, N.Y., says: "If somebody shot her, you'd print her name. If somebody robbed her, you'd print her name. We're talking about a free and open society, but I have to admit that I have reservations about my answer."

Eileen Brown, a housewife from Penns Grove, N.J., says the woman's name should be printed only if the accused is found innocent.

Frank Bagan, a certified public accountant from Scotch Plains, N.J., says the names of both the complainant and the accused should be withheld, not only in rape crimes but in all crimes, until the jury has reached its verdict, to avoid prejudicing juries. After that, he says — regardless of the verdict — all names should be printed.

"As uncomfortable as that may be," Bagan says, "it would probably be best to disclose that information . . . There's no good reason for allowing anybody an extra amount of privacy in a rape case."

John B. Lampi, a corporate lawyer from Harrisburg, Pa., thinks the woman's name should be printed only if she agrees to it. He also thinks the same rule should apply to all crimes.

"Newspapers," he says, "from a moral or ethical standpoint should honor a request from a victim (for anonymity). I don't think victims should be identified under normal circumstances. They should be entitled to their rights of privacy . . . To me the name of the victim is not that newsworthy."

Lampi, who lived briefly in Vienna, says that the European newspapers he read virtually never printed the names of victims, although they routinely published names of those accused of crimes. It's a practice he endorses, even when the accused is a minor. "I don't think," he says, "that most papers I'm familiar with fail to tell people enough. They tell people too much."

Dr. Jackqueline Steck, who teaches at the Temple University School of Journalism, says she struggles with such questions in her work. "I feel uncomfortable in class discussing these things," she says, "because there are no right answers . . . some of these questions have to be resolved on more humane grounds."

How reflective are these views of the general population? I have no idea. And neither do the rest of us. As one editor told Oukrop: "How am I to know what the general public is thinking?"

But there are occasional indications that a good many readers would be unhappy with whatever we did.

In April of this year, WRGB-TV in Albany conducted a "telepoll," asking viewers to phone in responses to this question: "Do you think the names of women who have charged they've been raped should be made public?"

Of the 700 callers who responded, 351 said yes and 349 said no. News Director Don Decker points out that the survey was hardly scientific and that it was conducted during the highly publicized trial of a jail guard accused and later convicted of raping a female inmate.

Rape, however, is not the only crime in which newspapers confront the question of what to print and what to leave out. Howard Schneider, Long Island editor for *Newsday*, recalls an incident a few years ago in which an elderly woman was mugged. From her hospital bed she identified a man police brought into her room as her attacker. Then she had her husband call the newspaper.

"He said his wife was injured," Schneider recalls, "that she had gone through a trauma, that she was a victim already. Why print her name, he asked? Why make her a further victim? They were afraid of retaliation. I told him that it was our policy to use the names of crime victims. Then a little later, we got a call from the woman's doctor saying the same thing. We ended up using her name. It seemed to us that she was in no greater danger than any other victim."

How does our non-scientific sampling of readers react to that?

"If somebody else found out her name," says housewife Eileen Brown, "they might pester this woman or call her up or come to her door. The newspaper shouldn't print her name."

Should we print the name of the man she identified?

"Yes," says Eileen Brown. "I would print his name." Jensen, the grape grower, says: "Well, he's arrested, and what he did is only alleged, right? I think it's part of journalism's responsibility to print her name." But, he adds, "I have reservations about it."

Arlene Vanderhoof, the bookkeeper, says: "I think the choice should be left up to the victim. I

think the story is important. She did the right thing and went to the police. Too many people wouldn't."

And the name of the accused?

"You should absolutely print his name," she says.

Terry Uhr, the electrical supply dealer, sees it precisely in reverse.

"I wouldn't see any problem in printing her name and address," he says, "but I'd be reluctant to print the name of the guy who was charged. Because of the woman's age and condition, she might be making a mistake, and you'd be ruining the guy's reputation. How do you evaluate the reliability of the woman's identification?"

Terry Haag, the Connecticut housewife, says: "I wouldn't want my name in the paper under those circumstances."

In burglaries, most of us routinely print both the name of the victim and the address, which is also the scene of the crime. And most of us also get complaints now and again about doing so. I asked some of our civilians this question: If a burglary took place on your block and a substantial amount of valuables was taken, would you approve or disapprove if your local newspaper printed the victim's name, address and the amount of the burglary?

Lampi, the corporate lawyer, and Bagan, the CPA, adhered to their earlier positions that no victim's name should be printed until a perpetrator had been arrested and tried. And both feel that a general location is precise enough in a burglary report.

Taylor, the country lawyer, acknowledges that police routinely give out such information, but he adds that the police in his jurisdiction will withhold it if the victim desires, and he thinks newspapers should do the same.

Eileen Brown, the New Jersey housewife, says: "No. It's divulging personal information. Just print that there was a burglary and that a large amount was stolen. Just say it happened on a particular street. A general location is enough."

Jensen, the grape grower, disagrees. "You should state as a matter of record that John Doe was burglarized, that John Doe lives at a specific place . . . I think you should be discreet about the amount. It ought to be enough to make reference to a very large amount."

Arlene Vanderhoof, the bookkeeper, says: "Yes, you should print it more or less as a citizens' alert. Also, by bringing it to public view, it might bring more police protection into the neighborhood . . . I wouldn't want my neighbor to know what's in my house, and I wouldn't want to be a sitting duck for another burglary, but those are the chances you take."

Uhr, the electrical supply dealer, sees nothing wrong with printing every detail. "If somebody has something of value in his house," he says, "burglars can already figure that out by the neighborhood . . . The local papers where I live don't often print the amount, and I'm always interested. If one of my neighbors has that much, I'd like to know about it and where he got it."

Haag, the housewife, agrees. She points out that the victim "reported it to the police, and I think it's newsworthy. I'd like to know if somebody was robbed in my neighborhood. It makes no difference if it's my house or somebody else's"

Coffey, the Albany defense lawyer, couldn't make up his mind. "If it's, say, $50,000, it's a tough decision. What about $10,000? What about $5,000? How would you like it if it were your house? The chances of that person getting hit again are increased."

Dr. Steck, says: "The approximate location seems proper. It's different from what I learned. My impression is that most newspapers are being less precise, and I think that's a good thing. In a case like that, the approximate location does justice. But, again, you can't carve these things in granite."

We went through the same exercise on the question of printing the name of a juvenile, in this case a 12-year-old who commits a murder. All our civilians agreed that the story should be reported, but only one would print the child's name. That was Uhr, the electrical supply merchant, and his problem was the age of the child. "If a 7-year-old kid did it," he said, "you could say he didn't understand what he was doing. But not a 12-year-old."

The bottom line? There is no bottom line. All of us in daily newspapering continue to struggle with such questions as a matter of course, and the problem is that, to varying degrees, everybody on any side of the question has a point.

We can talk all we want about "the public's right to know" and believe it with every fibre of our beings, but there apparently remains a sizeable percentage of our readers who believe, as screenwriter and former *Detroit Free Press* editor Kurt Luedkte has said, that we made that up, that there's no such thing.

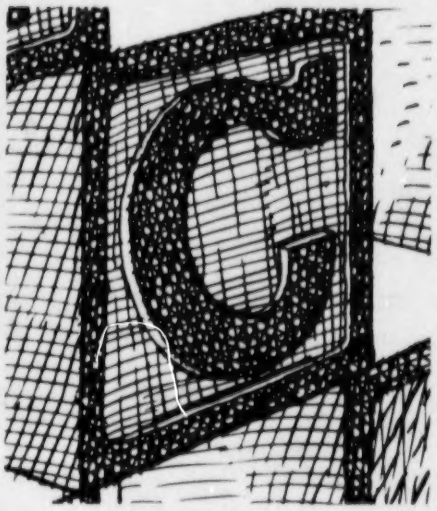
That point of view was articulated in my interviews by defense

lawyer Coffey. What he said to me was:

"I don't think the public has an absolute right to know . . . I think in some cases, it's less the public's right to know than the newspapers deciding they have a right to print it."

EDITORS CHANGING ON CRIME INFORMATION

By Paul LaRocque



Last July some major media, at the request of the FBI, withheld news of the kidnapping of the wife of a former El Salvador diplomat because the publicity could have endangered her life. The woman was rescued and the story was published.

That case is an example of media self-restraint. There were no legal restrictions; the media chose not to publish the information out of concern for the woman's safety. An individual's life carried, in that case, greater value than the public's right to know.

The kidnapping case was an extreme in which the decision to withhold publication was not too difficult to make. There are countless other cases with which the media must deal daily that do not have such obvious choices — publication of the identification of victims of crimes, for example.

Earlier this year, a White House task force recommended that addresses and telephone numbers of victims of crimes and witnesses to crimes be kept secret unless a court ruled otherwise. The President's Task Force on Victims of Crime said: "Victims and witnesses share a common, often justified apprehension that they and members of their family will be threatened or harassed as a result of their testimony against violent criminals." The task force said that although such fear could not be eliminated, it could be mitigated by keeping names and addresses from being made public.

The kidnapping case and the results of a survey made earlier this year by the Professional Standards Committee indicate that some editors are concerned about such privacy issues as identifying victims of crime, and that they are modifying policies regarding such privacy matters.

The Professional Standards Committee originally surveyed editors in 1976, asking three questions involving privacy situations: a case involving identification of victims of crime, a case involving the divorce of a public official, and an attempted suicide by an unemployed factory worker. The same questions were asked of editors in the 1983 survey. Here's what the follow-up survey showed:

— More editors would not publish the addresses of crime victims in 1983, although the percentage who would publish the names did not change.

— More editors would treat the divorce of a public official routinely rather than with a detailed story.

— Most editors still would publish the name of a person who attempted suicide in a public place but more would not identify the person.

The 1976 survey was mailed to 150 editors and 60 responded. In 1983, 200 were queried and 105 responded. The three key situations posed were the same, although the questionnaires differed slightly. In the 1976 survey, editors were asked for an open-ended response. The 1983 survey listed choices (compiled from the 1976 responses) and editors were asked to check the appropriate answer, or to write in an answer if they deemed the multiple-choice options inadequate.

The 1976 survey also asked editors whether they published routine notices on marriages, divorces and births and whether they would withhold such a notice if requested to do so. The 1983 survey asked the same questions, but it dealt with each of the three items in a separate question involving an application for a marriage license, a divorce action and the birth of a child to an unwed mother. Thus the informa-

TABLE I
A COMPARISON OF 1976 AND 1983 EDITOR SURVEYS ON IDENTIFICATION OF VICTIMS OF CRIME

Response Choices	1976 %	1983 %
Full identification	48.3	22.9
Qualified identification	36.7	64.7
No identification	11.7	12.25
	N=60	N=105

* Response percentages do not total 100. Two editors did not respond to the question.

TABLE II
A COMPARISON OF 1976 AND 1983 EDITOR SURVEYS ON PUBLICATION OF A DIVORCE STORY

Response Choices	1976 %	1983 %
Publish full details	26.7	7.6
Handle routinely or conditionally	63.3	72.4
Not publish	1.7	19.0
	*N=60	**N=105

*Five editors did not respond to the question.
**One editor did not respond to the question.

TABLE III
A COMPARISON OF 1976 AND 1983 EDITOR SURVEYS ON IDENTIFICATION IN A SUICIDE ATTEMPT

Responses	1976 %	1983 %
Identify the man	65.0	65.7
Not identify him	15.0	28.6*
Conditional	18.3	4.7
	N=60**	N=105***

*One editor said he would not publish the story.
**One editor did not answer the question.
***One editor did not answer the question.

TABLE IV
PERCENT OF NEWSPAPERS PUBLISHING MARRIAGE, DIVORCE AND BIRTH INFORMATION

Items	1976	1983
Marriage licenses		
Yes	78.3	60.9
No	21.7	36.1
N.A.	. . .	3.0
Divorce actions		
Yes	78.3	68.5
No	21.7	30.5
N.A.	. . .	1.0
Birth announcements		
Yes	86.7	91
No	13.3	14
N.A.	. . .	0
	N=60	N=105

Table XIII is a comparison of the number of newspapers

TABLE V
A COMPARISON OF PUBLICATION OF MARRIAGE, DIVORCE AND BIRTH INFORMATION PERCENTAGES FOR 1976 AND 1983

Response	1976	1983	1983 Adjusted
All three items			
Not publish	35.0	. . .	. . .
Publish	58.3	. . .	. . .
N.A.	6.7	. . .	. . .
Marriage licenses			
Not publish	. . .	10.5	18.0
Publish	. . .	38.1	65.6
Conditionally withhold	. . .	9.5	16.4
N.A.	. . .	41.9	. . .
Divorce actions			
Not publish	. . .	9.5	14.7
Publish	. . .	47.7	73.5
Conditionally withhold	. . .	7.6	11.8
N.A.	. . .	35.2	. . .
Birth announcements			
Not publish	. . .	55.2	69.9
Publish	. . .	6.7	8.4
Conditionally withhold	. . .	17.1	21.7
N.A.	. . .	21	. . .
	N=60	N=150	*

*Questions in the 1976 survey were worded differently.

**Marriage licenses N=61, Divorce actions N=68, Birth announcements N=83.

tion on the routine notices is not entirely comparable. Table IV and V deal with the routine notice information. Table V has an adjusted category. The percentages in that category are based on only those papers that responded to the question. Many editors did not respond to the marriage-divorce-birth questions because their papers do not publish such routine notices.

The main questions:

1. A gift shop in a local hospital is held up. Two women who work as volunteers in the shop are forced to give up the money and are tied up by the holdup men, who flee with the money and are still at large. The names, ages and addresses of the women are in the police report on the crime. How would you handle the story:

A. Publish the full identity of the women.

B. Publish only the names.

C. Withhold any identifying information

D. Take other action.

2. A member of the city council has been sued for divorce. The complaint is public record. Would you:

A. Publish all the details.

B. Publish a routine story or a routine legal notice

C. Publish nothing.

D. Take other action.

3. An unemployed factory worker is perched on a window ledge of a downtown office building and is threatening to jump. He is there for an hour before police and others talk him out of jumping and escort him to safety. He is hospitalized for treatment and is not charged with a crime. Would you:

A. Identify the man.

B. Not identify him.

C. Not publish a story.

D. Take other action.

Tables I, II and III compare the results of the two surveys.

Table I shows a decrease in the percentage of editors who would identify fully the two women robbery victims — from 48.3 percent in 1976 to 22.9 percent in 1983. It also shows a sizable increase in the percentage of editors who would publish a qualified identification of the women — from 36.7 to 64.7. There was little change in the percentage of editors who would not identify the women — 11.7 in 1976 and 12.4 in 1983.

For Question 2, Table II shows an attitude change similar to that found in Table I. The percentage of newspapers that would publish all details of the divorce dropped 19.1 percent — from 26.7 in 1976 to 7.6 in 1983. The percentage of editors who would handle the matter routinely or conditionally rose from 63.3 to 72.4. Newspapers that would not publish the divorce increased by 17.3 percent — from 1.7 percent in 1976 to 19 percent in 1983.

Changes in responses to the question dealing with a suicide attempt were not as significant, as shown in Table III. The percentage of editors who would identify the man remained about the same — 65 in 1976 and 65.7 in 1983. There was a significant change in the percentage of newspapers that would not identify the man. That number increased 13.6 percent — from 15 percent in 1976 to 28.6 percent in 1983.

Among those editors who would not identify the man was one who would not even publish a story. Editors who said they might or might not identify the man, depending on circumstances, decreased by exactly the increment of increase in those who would not identify — 13.6 percent. Those statistics suggest that editors are having less trouble making a decision on such matters.

Nineteen of the 24 editors who said they would publish complete identification of the crime victims gave their reason as "Names are important news." Fourteen said "The names are public record and the public has a right to know." Fear that making an exception for the women would establish an undesirable precedent was listed by nine editors.

The 58 editors who said they would withhold only some identifying information on the women, either conditionally or absolutely, gave the same reasons as those who would publish all: important news (44), right to know (31) and setting a precedent (23).

Seven of the 13 editors who said they would not identify the victims said the names were not essential to the story.

In the divorce case, the reason cited by all eight editors who said they would publish full details was that it involved a public figure and the public had a right to know. Of the 19 editors who said they would not publish a story, 17 said divorce was common and not interesting news.

Only eight of the 104 editors who responded to that question said "divorce cases make interesting reading."

Among the large block of editors who would handle the matter routinely or conditionally, the reason cited most often (29 editors) was that the divorce was public record. Twenty-three said "divorce suits are common and no longer news." The public figure reason was given by 18 who would handle the matter routinely or conditionally.

TABLE VI
A COMPARISON OF SITUATION QUESTION RESPONSES COMPARED TO ANSWERS TO CRIME VICTIM QUESTION

Response to question No. 1 on victims of crime	Publish All	Names Only	No ID	Other
Total	24	58	13	10
Response to question No. 3 on council person divorce				
Publish all	4	4	0	0
Brief story	3	14	1	2
Routine story	9	26	6	4
Not publish	6	7	4	3
Other	2	6	2	1
Total	24	57	13	10
Response to question No. 5 on suicide attempt**				
Identify the man	18	37	8	6
Don't identify him	6	17	4	2
No story	0	1	0	0
Other	0	3	1	1
Total	24	58	13	9
Response to question No. 8 on marriage announcement***				
Not publish	1	7	1	1
Publish	8	27	3	2
Conditionally withhold	4	3	2	1
Total	13	37	6	4
Response to question No. 1 on victims of crime	Publish All	Names Only	No ID	Other
Total	24	58	13	10
Response to question No. 10 on divorce action				
Not publish	2	7	2	0
Publish	11	29	4	4
Conditionally withhold	2	4	1	2
Total	15	40	7	6
Response to question No. 12 on birth announcement				
Not publish	12	31	8	6
Publish	2	4	1	0
Conditionally withhold	3	11	1	2
Total	17	46	10	8

*One editor did not respond to the question. **One editor did not respond.

***Total response to the last three questions varies because many newspapers do not publish some or all of those public record data.

The two reasons given most often by editors who would identify the man who attempted suicide were that the act took place in a public area and the public should know all the details, and that it was a news event and the name is important. The former was cited 55 times and the latter 45. The next most popular was the public right to know, cited by eight editors.

The most common reason for not identifying the man — listed by 21 editors — was that his name was not important to the story. One editor, who would not publish a story, said that the publicity could complicate the man's treatment.

In all three of the routine notice questions, the main reason given by those who would publish the information in spite of a request to withhold was the public's right to know. Table V shows that publication was favored by most, except in the birth situation. In that case, 69.9 percent said that they would not publish the birth notice of an illegitimate child.

Editors also were asked a number of questions that were not directly comparable to the 1976 survey. There were 105 usable responses to the 200 questionnaires — a 52.5 percent response rate, compared to 40 percent in 1976.

Anonymity was requested by 36.2 percent of the respondents; 54.3 did not desire anonymity, and 9.5 percent did not respond to that question. Anonymity was offered to encourage candor. A summary of the responses follows:

The responses were fairly well-balanced among the four circulations sizes used in the survey: 27.6 percent classified their newspaper as having a circulation of 100,000 or more; 23.8 percent said between 50,000 and 99,000; 23.8 percent said between 25,000; 49,000 and 48.8 percent said under 25,000. (Each category received 25 percent of the questionnaires.) Slightly more than 54 percent said their readership was primarily metropolitan, 26.7 percent said suburban, and 19 percent said rural.

Nearly 22 percent of the editors classifed their newspapers as conservative, while only only 12.4 percent said their personal philosophy was conservative. Most editors said they and their newspapers were moderate: 62.9 percent for the newspapers and 65.7 percent for the editors. More than 12 percent classified their newspapers as liberal. The figures indicate that if an editor and his newspaper are not in philosophical agreement, the editor is apt to be liberal.

Most of the newspapers — 51.5 percent — have some policy regarding privacy matters. In 1976, only two editors said they had formal policies dealing with privacy matters. In 1983, 39 percent said each case was decided on its merits. Only 8.5 percent said they had no privacy policy. All the editors, except two who did not respond to the question, said they agreed with their newspaper's policy on privacy.

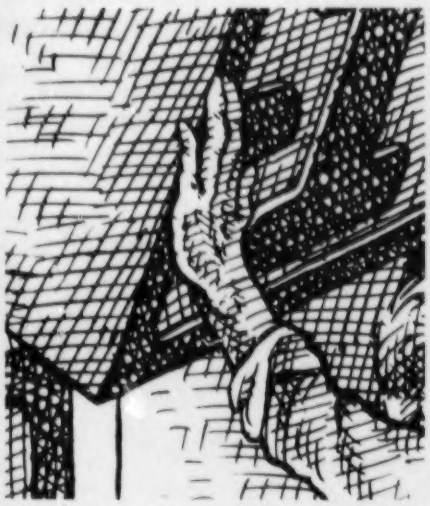
Fifty-seven percent of the respondents said their states had privacy laws regulating access to and use of personal information. Forty percent have no such laws; 2 percent said such legislation was under consideration. One editor did not respond to the question. In 1976, three editors said their states had laws relating to privacy and the press, and eight said such laws were under consideration.

Most editors (62.9 percent) said their paper had competition for local news from another daily newspaper while 37.1 percent had no competition.

Table VI shows how editors responded to question No. 1 and compares those responses with their responses to the other key questions — Nos. 3, 5, 8, 10 and 12.

TEST YOUR SENSE OF PRIVACY: YOU BE THE EDITOR

By Ralph Otwell
Chicago Sun-Times



Here is a multiple-choice test based on actual case histories involving news judgments on sensitive stories with privacy considerations. The test is suitable for provoking discussion and developing standards at your newspaper.

1. An attractive and well-known young mother who is running for city council is the victim of a rapist. She implores you to keep the story out of the paper and assures you that she has made a similar entreaty to the other media. Would you:
A. Write a story, using her name.
B. Write a story merely describing her as a candidate for political office.
C. Forget the story.

2. The 18-year-old son of a well-known politician, who is a former congressman and unsuccessful candidate for the U.S. Senate and who has taken a hard line against drugs, is arrested for selling cocaine. Would you:
A. Give the story prominent play.
B. Carry a routine short of the same size and prominence given similar drug arrests.
C. Carry nothing at all.

3. A prominent businessman and pillar of the community, identified with many civic endeavors, is revealed as guilty of embezzling $50,000 from a charity he heads. You have the story alone, and no charges have been filed. Contacted for comment, the man promises to make full restitution and tearfully urges you to omit the story because his wife is in the hospital with a serious heart condition and the news "will undoubtedly be the end of her." You would:
A. Go ahead with your exclusive story, identifying the embezzler.
B. Turn your evidence over to the district attorney and share the story with your competition after charges are filed.
C. Decide to hold out the story until the wife's condition improves.

4. A federal judge has an obvious drinking problem, which is common knowledge among his colleagues on the bench and many attorneys. No one, however, will comment for the record on his absenteeism and the other lapses which appear to be the result of overdrinking. Would you:
A. Write the story, using unnamed sources.
B. Tell the judge you're working on the story, in hopes he might resign.
C. Forget it.

5. A woman bank teller thwarts a robbery by alert thinking; the would-be robbers escape. The bank president, fearing the woman or her family might suffer reprisals, urges you to omit any identification in your story. Would you:
A. Follow your usual style of carrying full name, age and address.
B. Use only her name, but no address.
C. Omit the name entirely, describing her only as a "teller."

6. Your reporter is the first person to arrive at the home of three young girls killed in an automobile accident. The family agrees to give you a picture of the girls, but only if you will promise that all other newspapers and television stations can get the picture from you. Would you:
A. Print the picture exclusively, offering it to no one.
B. Distribute copies after you have printed it.
C. Make it available to all other outlets before publication.

7. A group of professional burglars has moved into your city. They are known to be reading your paper, particularly the obits, society columns and wedding announcements, to choose their victims from among those who will not be at home. The local police ask you to eliminate these articles for several weeks, forcing the criminals to move to another town. Would you:
A. Continue present practices.
B. Eliminate street addresses, merely forcing the thieves to go to the telephone directory for locations.
C. Comply with the police request and write a story explaining the purpose of the new policy.

8. Conditions at a local nursing home are known to be substandard. The home is privately owned, and efforts to obtain admittance or information have failed. Would you:
A. Assign a reporter to obtain a job as an orderly and write a story based on his first-hand observations and impressions.
B. Write a story based on the best information developed from sources unconnected with the home.
C. Forget the story.

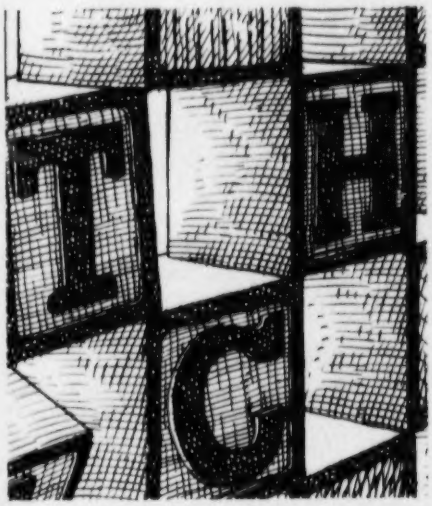
9. A very important union meeting has been closed to the press. Would you:
A. Have one of your reporters dress like a worker and attempt to walk into the meeting.
B. Solicit comments from members as they leave.
C. Carry a simple "no comment" report based on the union leaders response to your reporter's questions.

10. Fifteen young men are arrested in a raid on a notorious hangout for homosexuals. One is a reporter on your staff. Several of those arrested are charged with drug offenses; a couple with carrying concealed weapons. Your reporter is charged simply with "disorderly conduct". The opposition has all the information, including photos of those arrested. Would you:
A. Carry a full story listing all those arrested.
B. Identify only those charged with the more serious offenses, omitting the name of your reporter.
C. Carry no story at all.

CAN REPORTER SERVE ON SCHOOL BOARD?

By Earl Maucker

Ft. Lauderdale News & Sun-Sentinel.



Knoxville (Tenn.) News-Sentinel reporter Jackie McClary felt it was her civic responsibility to run for a seat on the suburban Alcoa, Tenn., school board. She had children in the public school system and felt a deep commitment to make a contribution.

She didn't think there would be any problems in the newsroom. After all, she said, the board was in a different county than the newspaper, there would be only one meeting a month so it wouldn't require an overwhelming amount of time, and she was a general assignment reporter with plenty of reporters to cover education besides herself.

But perhaps more importantly, she thought it was consistent with past newspaper policy. Another reporter, recently retired, served for years on the county commission and the editor himself, Ralph L. Millett, Jr., chaired the Knoxville Parking Authority, a position appointed by the mayor of Knoxville and approved by the City Council.

As editor of the News-Sentinel since 1967, Millett also had a strong commitment to protect the credibility of his newspaper. So when McClary won that seat on the Alcoa school board, Millett cried foul. He was particulary concerned, he said, because the Aloca board had been "hot" lately due to some controversial teacher firings.

Additionally, he said, the newspaper's policy was quite clear in prohibiting any editorial employee from holding an elective office. Her seat on the board posed a serious conflict of interest and Millett offered her a choice: Resign or be fired.

The case is headed for binding arbitration. By mid-September one hearing had been scheduled, but later cancelled.

Bob Barrett, Guild president when McClary was fired , said the official Guild position is McClary was fired without sufficient cause. The circumstances leading up to the firing, he said go deeper. The real issue is one of fairness, he said.

He pointed to the former reporter who held an elected position on the county board for years and Millett himself for his role on the parking authority.

"You want to talk about credibility," he asked. "A major project by the parking authority was called 'Ralph's garage' by members of the City Council. It was that way all over town."

Millett says nonsense.

"I see a big difference between an elective and an appointed position," said Millett, explaining his

role on the Parking Authority. "I see no valid comparison."

As to the staffer who held a seat on the county commission, Millett explained that the man held the position prior to Millett being named editor and was "grandfathered" in. "I allowed it to continue until his retirement which we knew was forthcoming."

But Barrett said there was more to the story.

"Sure he (former staffer) held that position when Millett became editor," Barrett agreed, "but he ran for re-election twice while Millett was editor. C'mon, what's fair? He could have stopped it. Why didn't he?"

How did the situation get as far as it did if a policy existed governing political activity by newsroom staffers? A point in which McClary and Millett again disagree.

McClary maintains there was no policy clearly outlining guidelines regarding off-time activity — political or non-political.

She claims she discussed running for the school board with her managing editor who said he had "no problems" with her candidacy, but promised to check with Millett for clarification.

She said she was up against a deadline for qualifying for election and when she did not hear back from her managing editor, she went ahead and filed.

She also contended that there was nothing in the company's employee handbook, nor in the guild contract that prohibited her from running for office.

Not true, said Millett.

He said a Scripps-Howard "principles and practices" statement for editorial employees had been adopted by the News-Sentinel and was clearly posted on the newsroom bulletin board. It had been there long before the controversy arose with McClary, he added.

The guidelines state, "Paid work of any sort for any branch of the government, any political organization, any candidate, any politician, is prohibited."

Millett further claimed a supervising editor took McClary to the bulletin board and went over the policy with her before the subject of running even got to the managing editor.

McClary admitted she saw the Scripps-Howard statement on the bulletin board but considered it vague and invalid.

"It was not part of our contract with the Guild," she said. "whether or not the company adopted it as a standard doesn't mean a thing . . . it is subject to negotiation."

She also argued that the policy didn't "square" with past practices of the company including Millett's participation on the Parking Authority whose meetings are regularly covered by the News-Sentinel, and whose policies are subject to locally written editorials.

Reaction in the newsroom?

"The staff supports me. My coworkers fail to see how it would be a conflict and are in support of the position taken by the Guild," said McClary.

"It's pretty much blown over," Millett countered.

FEEDING THE PRESS

By Robert Baker

Fredericksburg Free Lance-Star

Last May 28-30, some 4,000 American and foreign journalists covering the economic summit in Williamsburg, Va., took free food and drink supplied by private companies and trade associations.

"Shocking," said Robert Meloon, general manager of the *Capital Times* in Madison, Wis.

"It seems like members of the press have forgotten the ethics crusade we were all on five or six years ago."

Meloon's reaction spurred this APME report on the ethics of the press accepting those freebies.

Most editors contacted for comment strongly endorsed the principle that the press should pay its way and, in retrospect, should have paid its way in Williamsburg.

Yet they point out that the lo-

gistical problem of feeding 4,000 journalists and hundreds of summit staffers was enormous. The Canadian government in 1981 and the French government in 1982 picked up the tab and set up the free food systems when the economic summits were held there.

The U.S. government was going to pick up the Williamsburg tab similarly. But the Reagan administration wanted to keep the total summit cost below $7 million, compared to the Canadian government's cost of $8 million and the French government's cost of even more.

So Michael McManus, chief summit planner at the White House, appealed to private companies and trade associations to donate goods and services.

The response was good. More than 50 contributors donated food and drink — from donuts to chicken to ice cream sundaes to wine and beer — amounting to $750,000.

The plan was no secret. Stories on the wires, in newspapers and news magazines gave some details.

Even more details were disclosed by the publication *Meeting News* in its June issue. In an interview then, McManus said benefits to the donors would include an illustration of patriotism, support of the summit by private enterprise, tax deducations — and perhaps some promotional payoffs.

One donor, the National Pork Producers Council, said it made a contribution "because of exposure" that might help its exports.

The Friendly Ice Cream company didn't think it would sell any more ice cream by supplying free sundaes to the press but did so to show its patriotism.

Many members of the National Restaurant Association, according to *Meeting News*, were worried that bad organization at Williamsburg would have a backlash effect.

"A bad press would have been disastrous," an official said.

It was the concept of promotional payoffs for free food and drink for the press that shocked Meloon of the *Capital Times*.

For this report, editors were asked if they see any ethical problems in accepting the freebies under the circumstances and have they seen any promotional benefits pop up in the press.

In general, they did see an obvious ethical problem but discounted any promotional benefits.

"There's no doubt we must come down for the principle that the press pays its way," said Lou Boccardi, executive editor of the Associated Press that had a team of staffers covering the summit around the clock.

"And yet, in cases like this, you have to deal with realities too. In Williamsburg, you had not only the 4,000 journalists but thousands of summit staff members and the feeding system was set up for all of them. It was a matter of logistics.

"If there had been some sort of system — the purchase of a meal card, for example — that would certainly have been preferable.

"As far as the companies influencing coverage or gaining a promotional payoff, that is far-fetched.

"Nevertheless, I don't think there is such a thing as a small ethical problem. You have to come down one way or the other. The press should pay its own way."

Alf Goodykoontz, executive editor of the *Times-Dispatch and News Leader* in Richmond, Va., was a member of the 1979 APME Professional Standards Committee that explored and deplored freebies. His reporters covered the summit in Williamsburg.

"The question of free food there, although everybody knew what was going on, didn't come up at the time and I suspect some of our reporters had a beer or two," he said.

"But then it was a question of logistics more than ethics — handling a mob scene efficiently.

"It was one of those areas where everybody was trying to put their best foot forward, which is not a dishonorable intent, and in the cold, clear scrutiny of three or four months later, you'd say, 'Hell, we shouldn't have done it.'

"But if any of those companies did expect any benefits and favoritism from the press, I suspect they are disappointed."

The *Washington Post* had advance stories on the Reagan administration's appeal for private enterprise to foot the food bill. Managing Editor Howard Simons said he saw no critical ethical problem in his summit contingent eating free food.

Williamsburg was not that different from the previous economic summits in France and Canada where the government picked up the tab as host, said Simons, and the donors certainly received no favoritism.

Seymour Topping, managing editor of the *New York Times*, took a similar position although he didn't know whether his staffers took free food in Williamsburg.

"We have quite strict rules requiring us to pay for transportation, hotels and so forth. Of course, if we are invited to dinner, for ex-

ample, we don't want to be rude.

"We have adequate expense accounts so there is no question about our desire or ability to pay.

"If we did accept free food in Williamsburg, we did so through courtesy or choice. This was a summit meeting sponsored jointly by the governments with the United States government as host. There was a logistical problem of feeding all those people.

"As for any promotional favoritism, I can't conceive of any paper being guilty of that."

Andrew Barnes, managing editor of the *St. Petersburg Times*, and Jack Lemmon, managing editor of the *Baltimore Evening Sun*, did not send staffers to Williamsburg.

"We have a straightforward, rigidly enforced policy against freebies of any kind," said Barnes. "We take nothing free from anybody."

The *Times* applied for summit credentials weeks in advance but the press slots had been filled.

The paper's policy would have been enforced at the summit, said Barnes. If unable to get an official billing for the food cost, he said, the *Times* would have estimated its share and submitted a check.

Said Lemmon:

"If we had sent somebody to Williamsburg, we would not have accepted free food. I'm sure there was a logistical problem but the press has to deal with many such problems and find a way to pay its way.

"We should be alert to situations like this as they develop and arrange in advance for a method of payment."

Joseph W. Shoquist, managing editor of the *Milwaukee Journal* and 1979 president of APME, said the free food system at Williamsburg was a definite ethical problem covered at his paper by a formal ethics code.

"Yet it is easy for me, back here in Milwaukee, sitting at my desk, to say this is a no-no. When you have a mob scene like that in Williamsburg, you have to deal with the situation in a practical manner.

"I think the solution is for the press to make known, in advance of events like this, that we prefer to pay our way."

Shoquist's reporter for the summit in Williamsburg was John Kole, Washington bureau chief.

He said the food, beer and wine was available in a big tent. Most reporters, he observed, took the free food and drink as a snack on the run, but chose to eat their evening meal at a restaurant, although a free dinner was available in the tent.

Kole sees a domestic parallel at national political conventions where, for example, a railroad association booth provides free snacks and drinks just off the convention floor that reporters use for convenience during hectic coverage.

As for such freebies influencing coverage or resulting in favorable publicity, Kole sees no evidence of that.

"As far as publicity is concerned," he said, "at most it was neutral in the advance stories which named the firms cooperating with the Reagan Administration's call for cooperation."

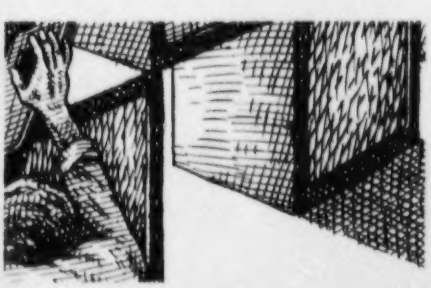
Back in Madison, Wis., the *Capital Times*' Meloon, whose outrage initiated this APME report, summed up the situation:

"It seems to me someone, early on, should have given serious thought to this unethical situation."

WHOSE SPARE TIME IS IT?

By Earl Maucker

Ft. Lauderdale News & Sun-Sentinel



If you're an editor concerned about what some of your staffers are doing in their off-hours, you are not alone.

More and more, editorial employees are demanding freedom to pursue outside interests. Editors and publishers, however, continue to fight for the right to limit activities when they feel conflict of interest exists. At issue, editors maintain, is the credibility of the product.

Achieving that balance between individual rights and professional responsibility has become one of the most difficult tasks facing editors and publishers today.

It's an issue that has sparked re-

peated grievances from the Newspaper Guild, and it is an issue that is not likely to be settled anytime soon, says Richard J. Ramsey, executive secretary of the Guild's contract committee.

The clearest statement to date came from the U.S. Court of Appeals for the District of Columbia which in 1980 ruled that at least some provisions of ethics codes must be the subject to collective bargaining.

The court left it up to the National Labor Relations Board to determine what provisions fall within the mandatory bargaining category and what should be exempt. In making the ruling, the court also acknowledged the unique nature of a newspaper as a business and the necessity of balancing the newspaper's credibility with the employee's interests.

"We agree . . . that protection of the editorial integrity of a newspaper lies at the core of publishing control," the court stated. "In a very real sense, that characteristic is to a newspaper or magazine what machinery is to a manufacturer."

Editors across the country face this dilemma all too frequently. Many newspapers have adopted written ethics codes that outline exactly what its management feels is appropriate for off-time activities of its news employees. Other newspapers have elected not to adopt any formal codes, but apply "standards" which may be applicable to any number of situations which may arise.

A case in point is the Associated Press, which does not have an "ethics code," but uses occasional reminders in memo form by its general manager to re-inform staffers of long-held rigid standards of non-involvement, no junkets and no politics.

The AP also has a clause in its Guild contract that says staffers can engage in outside writing, photography or broadcasting provided:
A. No conflict of interest for the individual or for AP.
B. No use of the AP name or staffer's AP connection without AP approval.

"Anyone who thinks he has closed all the ethical loopholes is apt to be surprised," says Lou Boccardi, executive editor and vice president of AP. "This is especially true, it seems to me, when you try to put down all the dos and don'ts on one sheet of paper.

"We rely on the fact that AP people have high standards and that our occasional reminders fall on appropriately sensitive ears."

Some examples:

At the *Roanoke Times* and World News in Roanoke, Va., the toughest ethics problem in recent years resulted in the dismissal of a popular columnist.

Roanoke, a non-union newsroom, has had an ethics code for several years, according to Forrest M. Landon, executive editor. The code, written by a committee of editors, reporters and photographers, prohibits staffers from working for any publication that seeks advertising in the Roanoke market.

The columnist, without consulting management, was preparing to start a restaurant guide which would be dependent upon local advertising. He was dismissed.

In addition to prohibiting employment for competitive publications, the Roanoke ethics code prevents employees from accepting paid or voluntary employment with any agency or government, political party or organization that is seeking public support for any cause or that is dependent on news coverage for its viability.

At the *Newport News (Va.) Daily Press* and *Times-Herald*, there is no written code. But managing editor Myrtle Barnes tells reporters when they are hired that they are prohibited from being involved in any organization or activity on their beat. Additionally, they are discouraged but not prohibited from involvement in organizations or activities that might at any time seek news coverage. Editors are prohibited from involvement, Barnes said.

The knottiest ethics problem faced by Barnes came during a special state senate election last year. The political reporter, in casual conversation with an editor, mentioned that his wife and mother were delegates for one of the candidates in the upcoming Democratic primary.

After discussion with other editors, Barnes decided to pull the reporter off the mass meeting at which the party's candidate would be chosen and, subsequently, off the race. It was a difficult decision, she says, because the reporter himself was not involved. She was influenced by a suspicion that the reporter's family was being used. Neither his wife nor his mother had ever been involved in any political activity.

There was a similar problem involving family and politics in Marin County, California. David Smith, editor of the *Independent Journal*, said that during the area's last election, the city editor's wife was doing public relations for a state assemblyman. It was a touchy problem made worse when an opponent was quoted in a weekly

newspaper claiming that the assemblyman was receiving special treatment because the city editor's wife was handling the campaign.

Smith took the city editor off all politics that involved that district and assigned an assistant city editor to those particular races to demonstrate the paper's seriousness in protecting its credibility.

The *Washington Post*'s contract with the Guild provides, in essence, that newsroom staffers must get permission from the managing editor to engage in outside employment. But the *Post* long ago decided to attempt no control over the outside employment of activities of spouses of employees.

"Spouses can do anything they want — and they do," says Managing Editor Howard Simons. "You can't regulate that, especially in today's world. With me, it's a constitutional issue. You can't regulate an employee's children, either."

At the *Virginian-Pilot* and the *Ledger-Star* in Norfolk, Va., where William G. Connolly and Sandra M. Rowe are managing editors, the most prevalent ethics question again involves the outside employment of staffers.

The newspapers prohibit employees from working for any enterprise that competes directly for readers or advertisers. There is no formal written code and questions involving free-lance work and television and radio appearances frequently make their way to the managing editor's desks.

It's not always a simple matter to define the competition. For example, Norfolk reporters and editors can free-lance for national publications such as the *New York Times*, the *Washington Post*, *Time* and *Newsweek*, but not for *USA Today*. *USA Today* is viewed differently from the other publications because of its vigorous single copy sales effort.

Occasional television and radio appearances on talk shows or public affairs programs are allowed, but regular appearances are forbidden, Connolly said.

The *Spokesman-Review* and *Spokane Chronicle* in Spokane, Wash., also do not have a written ethics policy and managing editor Chris Peck doesn't intend to change that anytime soon.

"An ethics code is the sort of thing that you can spend a lot of time writing and then most people stick it in a drawer and don't look at it again," said Peck. A deficiency Peck believes is inherent in written ethics codes is that none cover all the variations on a theme that are likely to occur in a newsroom.

Editors in Spokane are now wrestling with the question of how much involvement in community affairs is too much. The ruling for editors is clear: The publisher does not want them to be involved in political affairs of any nature. But for writers and copy editors, Peck finds many shades of gray. For example, he asks, what about an education writer who is intensely involved in activitites and controversies at the private school his children attend? Can the line clearly be drawn between personal life and professional life?

George Blake, editor of the *Cincinnati Enquirer*, had a ticklish situation when he was editor of the *Fort Myers* (Fla.) *News Press*.

He discovered to his dismay that his assistant sports editor and top sports writer promoted what became the first Sugar Ray Leonard fight on television.

How did he handle that one? "I let the two them go ahead an promote the fight, but I kept them away from any kind of boxing."

Last spring, the Newspaper Guild had in arbitration 12 cases involving ethics codes. Ramsey characterized them as "blatant attempts by companies to unilaterally restrict what an employee can do." Additionally, a fair number of cases on the subject are washed out before arbitration, Ramsey noted.

The Guild's model contract proposes no limits set by employers on what employees may do: "All employees shall be free to engage in any activity outside of working hours." Ramsey noted that no newspaper goes as far in allowing freedom as the Guild thinks it should.

Decisions by the NLRB in June and September 1982 address an employer's right to limit outside activities.

In the June ruling, the NLRB ruled that the *Seattle Times* violated its contract with the Guild when it ordered a columnist to withdraw his candidacy for water commissioner or to resign if elected.

The Seattle contract provided that employees were free to engage in outside activities except when those activities provided services for a competitor, when the activities exploited the employee's connection with the publisher, or when the activities for a noncompetitor embarrassed the publisher businesswise.

The arbitrator found that nothing in that article of the contract prohibited the columnist's candidacy for water commissioner.

In the September case, the board ruled in favor of the Albany, New York *Times-Union* and *Knickerbocker News*. That newspa-

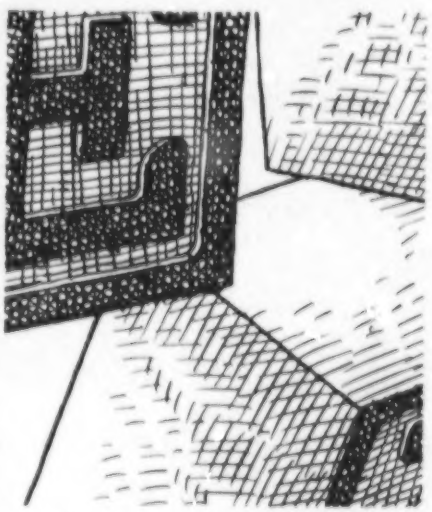
per's code of ethics states that employees may engage in other employment as long as no conflict of interest is involved and it does not interfere with the employee's duties. Additionally, the contract with the Guild had a provision which provided in part that outside work had to be performed on the employee's time and with his own equipment and that the employee cannot "exploit his connection with the company for personal advantage or gain."

At issue was whether capitol bureau reporters' free-lancing for a special-interest weekly devoted to state government news violated the outside activity provision of the contract. The NLRB said the reporters did exploit their connection with the company because the weekly wanted the reporters' work only because of their experience with the *Times-Union* and *Knickerbocker News* and the sources they had developed.

COLLEGE PAPERS AND ETHICS

By Prof. Paul Jess

University of Kansas



University daily newspapers look like their professional counterparts when it comes to codes of ethics: diverse.

And the diversity extends, as it does among the newsrooms of general circulation dailies, to type, function and content as well as to application and underlying philosophy.

But the differences among student dailies are not dramatic, and what differences do exist in ethical behavior seem to stem more from tradition and structure than from the presence or absence of a written code or ethical guidelines.

Three college professors working with the Professional Standards Committee surveyed campus dailies by looking closely at a sample of some of the better-known student newspapers from across the country. The professors were Gene Goodwin of Penn State, Paul Jess of Kansas and John Vivian of Winona State.

The student dailies were selected in consultation with Prof. Paul A. Atkins of the University of West Virginia, author of the recent study, "The College Daily in the United States."

The 20 daily newspapers surveyed represent a fifth of all campus dailies. The list is not one that purports to be of the "best" dailies, which naturally changes from year to year, but it is a list of campus dailies that have a reputation for consistent high quality. Because of the timing of the survey, May and early June, a few of the dailies selected were not operating and attempts to conduct a telephone interview were fruitless.

Seven of the 20 dailies reported having no written code of ethics of guidelines covering standards of professional conduct. Three of these represented the only non-public universities in the study (Harvard, Stanford and Yale). The other four dailies without codes were at Maryland, Minnesota, North Carolina and Oregon.

The diversity among those 13 campus dailies with written codes was great. Three said that they had such codes — Iowa, Michigan and West Virginia — but did not supply a copy as promised. Southern Illinois has adopted the SPJ/SDX, ASNE and NCEW codes without modification. Ohio State uses the SPJ/SDX code with modest additions. And Florida only this year, in response to a specific ethical problem, has adopted a brief code that covers one subject: freebies.

Thus only seven of the campus dailies supplied copies of broad-gauged, individually crafted codes or guidelines. And one of those, Ohio University, indicated, perhaps regretfully, that enforcement of the code was "loose". The other six were Illinois, Indiana, Kansas, Michigan State, Penn State and Texas.

Despite this apparent diversity,

respondents at the 20 campus dailies showed remarkable similarity in reacting to about half of nine ethical situations posed as hypotheticals. And the differences that did arise among the responses did not seem to relate to the presence or absence of a code of ethics, to the type or breadth of code adopted or even to the status of the person responding to the survey's questions.

All nine hypotheticals represented real situations or types of situations that occur routinely in campus newsrooms, although one concerned a situation that occurred about two decades ago.

Interestingly, that dated situation drew unanimous negative responses from all dailies surveyed and was even considered too ludicrous to be realistic by some student respondents. That question asked whether the editor of the campus daily could accept the manufacturer's offer of the free use, for a year, of a new model automobile. (Responsible faculty or adult respondents were sought at each campus daily, but in some instances no such person existed.) In those instances, the student editors indicated that the hypothetical about the free use of a car was too contrived to be realistic. Most adult respondents, on the other hand, recalled that 20 years ago considerable stir was caused among professional newspaper people when several campus daily editors were discovered to have accepted such gifts.

The next highest agreement of response to the hypotheticals occurred in regard to plagiarism by a columnist. Respondents were asked what action they or their editor-in-chief would take if a columnist were discovered to have copied an entire column that had been published in the campus daily.

The student editor-in-chief of the *Harvard Crimson* and a faculty member of the board of publications at North Carolina were the only respondents to suggest that such witting plagiarism might not result in dismissal of the columnist. The Harvard student editor reported that such a problem had happened to the *Crimson* last year and that the offending columnist was fired summarily. He said, however, that the columnist was only "trying out" and was therefore not a regular staff member. Had the plagiarist been a full-fledged staff member, he said, firing might "be a bit too harsh . . . If she had been one of our best writers, the humility of the retraction would be punishment enough." He did say that he probably would give a leave of absence to a regular staff columnist who plagiarized.

The faculty member at North Carolina, perhaps reflecting the recognition that faculty supervision of a student newspaper at public institutions has First Amendment implications, replied laconically, "I don't think very much would happen" to the plagiarist.

One other student editor, from Yale, said that the plagiarist probably would be removed from the staff, but noted that such an action would require a majority vote of the paper's editorial board.

All other respondents said unequivocally that columnists caught in witting plagiarism would be fired.

Another hypothetical on which a great amount of agreement emerged concerned a reporter who telephoned several sources and tape recorded the conversations without telling the sources that he was taping.

Although federal law requires only that one party to a telephone conversation be aware of taping, several states require the consent of both parties. All but one respondent in such states indicated that they considered the situation outlined in the hypothetical to be unethical as well as illegal and said that they did not gather material in that way nor would they use material that had been gathered in this way.

The respondent who held otherwise was the faculty managing editor from Southern Illinois, who said that Illinois law made such taping illegal, but that as a matter of ethics the real issue was whether the source knew he was talking to a reporter acting as a reporter. "Everything should be aboveboard," he said. "The distinction between taking notes and recording is really superficial. There is no ethics breach" in a reporter taping when the source knows he is talking to a reporter. This respondent indicated, however, that the campus daily obeyed Illinois law on the matter.

Only two other respondents expressed reservations about an ethical policy that requires sources to be notified that a telephone conversation is being taped. Both said that taping should not have occurred as broadly as indicated in the hypothetical, but that narrower circumstances might have yielded another decision.

The faculty general manager at Texas said that such taping should be based on "situation ethics." At Texas, she said: "Full discussion would precede the decision to tape and the ultimate decision to do so would be predicated on solid jour-

nalistic motives similar to those that guide a decision to grant anonymity to a source." In no instance, she said, should the decision to tape be made unilaterally by a reporter.

The faculty adviser at Ohio State indicated similar misgivings about a flat ban on taping without the knowledge of the source. "We have had to do that on a couple of occasions." he said. "One of the officials on campus has said things to us and then denied he said them after they have been published. So we taped him without telling him to protect ourselves in a major investigative piece last quarter."

Misrepresentation also drew fairly high agreement among respondents. The hypothetical posited a reporter posing as a family member in a telephone call to an uncooperative hospital to learn the medical status of a student who had been critically injured in an automobile accident.

All but three respondents condemned this behavior as unethical. But one of those who did so, the faculty member of the board of communications at Florida, injected a note of realism by suggesting that a reporter might do that and never tell his editor.

The student editor at Yale "guesses" that she would allow this misrepresentation "because the information is important enough . . . to warrant getting it that way."

A faculty member of the board of publications at North Carolina said only "I wouldn't be surprised if that happened . . . but I'm not sure they're that enterprising."

And the faculty news adviser from Penn State saw this as a possibly justifiable reason for misrepresentation. "If posing was the only way of getting this information, we'd probably do it," she said.

High agreement was found among campus dailies regarding a hypothetical in which a desk editor wanted to run for a student government office. Citing problems of coverage and reader perception of conflict of interest in coverage, all but four respondents said that written or unwritten rules would require any staff member to resign in order to run for the office.

Three respondents, from Florida, Stanford and Ohio, indicated that the decision would be up to the student editor. All three indicated a high probability that the desk editor would be asked to resign.

Diversity becomes more apparent on the remaining hypotheticals.

Only 12 of 20 respondents flatly ruled out misrepresentation in the following situation: A reporter wants to pose as a visiting high school senior in order to check on how she would be treated by various university officials she plans to confer with about majoring in various programs.

Comments from the 12 ranged from saying "misrepresentation is clearly spelled out in our guidelines as forbidden activity," to a recognition by a faculty general manager that he could not prevent such a thing from happening because he is not allowed to pre-screen but that he "always tries to get editors to recognize the ethical problems associated with misrepresentation."

Eight respondents, for differing reasons, thought otherwise. Faculty professionals at Florida, North Carolina, Ohio and Texas indicated that their editors would probably permit such misrepresentation. The student editor at Oregon said that misrepresentation would be considered in "story brainstorming." It would be condoned, he said, only if it were the only way to get a worthy story. "Posing to penetrate a situation in which there is pain or grief is repugnant and I wouldn't allow that," he said.

The student editor at Minnesota said he had no qualms about reporters posing, especially in a publicly financed institution. He indicated that because of recent problems connected with an April Fool's edition, the *Minnesota Daily* would not use such a method "right now" because of practical considerations.

Two respondents were unequivocal in their acceptance of the situation. The professional general manager at West Virginia said simply, "We would permit that." The student editor at Yale said, "Yes, that's OK. " She said her paper had a "reporter who went through the training program of the Guardian Angels and did not reveal who she was until the end of the program. " The editor said she instructed the reporter to not quote anyone without afterward identifying herself to the person who would be quoted.

The venerable question of "freebies" divided campus dailies right down the middle. Two hypotheticals concerned the newspaper's acceptance of free trips associated with coverage. In neither instance did the campus papers cover themselves with glory.

One hypothetical asked whether respondents would be permitted to accept a free trip to New York or Hollywood in order to preview a new movie and attend a reception at which the reviewer would meet the stars and director of the movie.

Only six respondents, Florida,

Kansas, Michigan, Ohio State, Texas and West Virginia, said that their reviewer would not be permitted to take such a trip at all. Illinois and Indiana indicated that if the reviewer took the trip, the newspaper would pay all related expenses.

Twelve respondents would allow such a free trip. Two rationales emerged in justification for the "freebie." The most common was that college newspapers could not otherwise afford to send reviewers to such exotic places. The other is best exemplified by the response of the editor from Stanford, who emphasized that the *Stanford Daily* "cannot be bought" and that reviews following such freebies were not necessarily favorable.

Four campus dailies, Indiana, Kansas, Ohio State and Texas, said that sports reporters and photographers were not permitted to travel with athletic teams to out-of-town events. Ohio State's policy was instituted last year. Previously, the faculty adviser said, such travel was common practice, and free.

Campus dailies at Illinois, Iowa, Michigan, Michigan State, Minnesota and Oregon all insist on reimbursing the athletic department for their share of the expenses involved. The *Michigan Daily* has a position that is only partly based on ethics, apparently. That paper insists on paying, but will accept a pro-rated trip with a sports team only if the cost is less than that of a commercial carrier.

All of the other 10 campus dailies would or do accept free rides with athletic teams.

In what may come as a surprise to many, some athletic departments and individual coaches seem to have ethical standards higher than those of student newspapers. The news adviser at Penn State, for example, said that riding free would be allowed and was not against policy. It might lead to better coverage, she said. But at Penn State it has not happened because the athletic teams do not offer the chance to ride free.

The faculty managing editor at Southern Illinois said that his daily would accept free sports trips for coverage purposes, but that because the athletic department was having budget problems the paper usually got billed for plane fare.

At Maryland, too, the decision about pay is apparently left in the hands of the athletic department. "On non-revenue or minor sports, our reporters ride with the team free, but their meals are paid by the paper. We also fly with the football team, but we are billed for our share and we pay for the staffer's meals," the assistant managing editor said. "The men's basketball team will not allow us to ride with them, so we're totally independent there."

And then there is West Virginia. The professional general manager of the campus daily there says his staff members ride free "as a matter of course." Apparently, though, it was not always thus. He had to fight for the freebie. He said he arranged for reporters and photographers to go on such trips free after he learned, 8 or 9 years ago, that nonessential people, such as the wife of the local paper's sports editor, were riding free. At that point, he said, he went to the athletic director and told him:

"Look, you're flying all these people, dead-heading them free, and yet you're totally ignoring your basic support here. My people should be the first people considered."

The other campus dailies all accept free rides to out-of-town sports events routinely. The perception of this not being an ethical problem is exemplified by the response from the editor of the *Harvard Crimson*: "I do not see that riding free compromises our integrity."

The last hypothetical drew such mixed response that categorizing the responses was difficult. The nature of the responses might indicate that the question was not well understood by respondents, that the subject had not been well thought out by respondents or that the question was poorly worded. On the other hand, the nature of the response might indicate something relevant about the ethics of campus dailies.

The hypothetical asked what the paper's policy would be if the president of the university decided to form an advisory board composed of student leaders and asked the paper's editor to be a member of the board.

Only four respondents — Iowa, Minnesota, Oregon and Yale — indicated a flat rejection of such board membership. Two others, Florida and Penn State, said the editor would probably decline. Seven respondents indicated that they would condone membership only if the committee was temporary or not newsworthy or powerful and that if an editor was involved, he or she could not write about the committee. Seven respondents — Kansas, North Carolina, Ohio, Ohio State, Stanford, West Virginia and Southern Illinois — indicated that their editors were or had been involved in such committees or that membership on such committees would probably be permitted should the situation arise.

Sweeping conclusions cannot be made on the basis of such a limited survey, of course. But some general observations would appear to be justified:

1. Those campus dailies on which most or a strong majority of staff members were journalism majors appeared to have a firmer grasp of ethical guidelines as well as more consistency in responses to the hypotheticals than did those papers with fewer journalism student staff members. The lone exception to this generalizaton was the Michigan Daily. This observation may suggest that the inculcation of professional standards of behavior has some relationship to a journalism major.

2) Campus dailies with a fairly close working relationship to a school or department of journalism are more likely to have a broadly applicable code of ethics or written standards of professional conduct than are dailies with loose or no connections to the campus journalism unit. Inasmuch as the presence of a code did not correlate with behavior as measured by the hypotheticals, this observation may be meaningless. On the other hand, widespread professional attention to ethics and ethics codes is relatively recent and a correlation between codes and behavior still may be developing.

The newspapers included in the survey were: *The Independent Florida Alligator*, the University of Florida, Gainesville; *The Harvard Crimson*, Harvard University; *The Daily Illini*, University of Illinois, Champaign; *The Indiana Daily Student*, Indiana University, Bloomington; *The Daily Iowan*, University of Iowa, Iowa City; *The University Daily Kansan*, University of Kansas, Lawrence;

The Diamondback, University of Maryland, College Park; *The Michigan Daily*, University of Michigan, Ann Arbor; *The State News*, Michigan State University, East Lansing; *The Minnesota Daily*, University of Minnesota, Minneapolis; *The Daily Tar Heel*, University of North Carolina, Chapel Hill; *The Post*, Ohio University, Athens; *The Lantern*, Ohio State University, Columbus;

The Daily Emerald, University of Oregon, Eugene; *The Daily Collegian*, Pennsylvania State University, State College; *The Daily Egyptian*, Southern Illinois University, Carbondale; *The Stanford Daily*, Stanford University; *The Daily Texan*, University of Texas, Austin; *The Daily Athenaeum*, West Virginia University, Morgantown, and *Yale Daily News*, Yale University.

When Do We Use Anonymous Sources?

By K. Tim Wulfemeyer

University of Hawaii-Manoa

Most major codes of ethics in journalism stress the importance of naming sources in news stories, but the Janet Cooke/*Washington Post* incident and similar cases demonstrate that such codes are not always followed.

Purposes of this study were to review commentary and research concerning the use of anonymous sources in general and the Cooke case in particular and to examine current policies and practices of large newspapers and television stations regarding the use of such sources in news stories in hopes of setting benchmarks for future research.

College and university textbooks on journalistic reporting and ethics usually advise complete source identification unless it is absolutely necessary to protect the source's identity for some reason. Authors stress the importance of named sources, because such identification helps readers/viewers judge the credibility of the information provided.

Most of the newspaper, magazine and journal articles about the Janet Cooke incident cite a contin-

uing loss of public confidence in press credibility, caution against overuse of anonymous sources, condemn careless treatment of facts and suggest that editors and reporters follow more rigorous standards for granting confidentiality to sources.

Cynthia Bolback, managing editor of *Media Law Reporter*, speculates that sources often are quoted anonymously simply to influence readers or viewers that a story is "hot" and a potential prize winner. She and others warn that continued overuse of anonymous sources could undermine the legitimate use of such sources as a journalistic tool.

Norman Isaacs, former chairman of the National News Council, blames "lazy" reporters and editors for the overuse of anonymous sources. He suggests that instead of quoting unnamed sources, reporters should ask (or editors should demand reporters ask) where a source obtained his information, then go there, dig into documents and question other sources. Reporters and editors who overuse anonymous sources, Isaacs says, deceive the public, lower the profession of journalism and allow themselves to be used to pass along fraudulent or self-serving information.

To reduce abuses in the granting of confidentiality to sources, Isaacs suggests that no grant of anonymity be given without the direct approval of the top editorial officer at a newspaper or broadcast station. In addition, he says the major wire services and, by implication, the major radio and television networks should adopt the same policy.

Research concerning the public's views on the use of anonymous sources tends to refute some of the recent criticisms. In general, one study has found that audience members give fairly high credibility ratings to unnamed sources and that it the subject matter of a story and the attitudes, prior knowledge and predispositions of readers/viewers toward the subject matter play a more significant role in determining how credible a story is judged than does the source of information.

It seems most people recognize the "cloaking" of sources in stories and accept the practice. A Gallup Poll found that 83 per cent of the people surveyed believe it is probably necessary at times for reporters to conceal the sources of their information.

Another study found that people perceive a "controversial" story to be most accurate and fair when no source is quoted as opposed to quoting an unnamed source, a named source or two conflicting sources.

Research Questions

To add to the body of knowledge on the use of unnamed sources in news stories and to measure some of the effects of the Janet Cooke/*Washington Post* incident on news media policies and practices, a survey of newspaper editors and television news directors was conducted during the winter of 1981-82.

The following primary research questions were addressed:

A. How many newspapers and television stations have policies concerning the use of anonymous sources?

B. What are the basic elements of policies about the use of anonymous sources?

C. What have been the effects of the Janet Cooke/*Washington Post* incident on policies concerning the use of anonymous sources and related ethical issues?

Secondary research questions covered the frequency of news media observance of the following practices:

1. Using anonymous sources.
2. Honoring pledges of confidentiality to sources.
3. Requiring that editors know the identity of a confidential source.
4. Checking the accuracy of stories.
5. Correcting promptly any mistakes of fact in stories.
6. Checking credential of prospective employees.
7. Using composite characters in stories.
8. Encouraging participation in journalistic contests.

Findings

Policies. About 24 per cent of the newspapers and television stations had formal, written policies covering the use of anonymous sources in stories. About 32 per cent of the newspapers and 16 per cent of the television stations had formal policies.

About 71 per cent of the news media organizations had informal policies on anonymous sources. About 69 per cent of the newspapers and 72 per cent of the television stations had no such informal policies.

About 5 per cent of the media organizations had both formal and informal policies; 19 per cent had a formal, but no informal policy; 66 per cent had an informal, but no formal policy; and about 10 per cent had neither a formal nor an informal policy.

Policy Elements

Major elements included:

1. Editors must be told the names of sources.
2. Use anonymous sources as a last resort.
3. Verify information provided by anonymous sources.
4. Describe anonymous sources as fully as possible to allow audience to assess credibility.
5. Prohibit personal attacks by anonymous sources.

Cooke Case Effects on Policies

News executives reported that the most pronounced effect of the Janet Cooke/*Washington Post* case on their policies was that they now scrutinized more carefully stories which use anonymous sources to ensure accuracy and to justify such use.

Other major effects included greater demands that reporters reveal the names of confidential sources to editors, more thorough checking of the academic and professional credential of prospective employees and identifying anonymous sources as completely as possible.

Secondary Research Questions

About 77 per cent of the news executives indicated their organizations rarely used unnamed sources in stories, but 88 per cent said they honored pledges of confidentiality to sources whenever given. About 64 per cent said they always required reporters to reveal the names of confidential sources to editors.

About 67 per cent of the respondents said their news organizations regularly checked the accuracy of stories written by inexperienced reporters, while 41 per cent indicated the same degree of checking on stories written by veteran reporters.

Generally, most news organizations followed a regular pattern of checking on the accuracy of their news stories regardless of the experience of the reporter.

About 61 per cent indicated they regularly checked the academic credentials of prospective employees, while 93 per cent said they regularly checked the professional credentials of applicants. Generally, most news organizations followed a fairly consistent pattern of checking both academic and professional credentials.

About 80 per cent reported they always made prompt and complete corrections of factual mistakes in stories. About 94 per cent said they rarely used composite characters in news stories. About 67 per cent indicated they regularly encouraged reporters to enter journalistic contests.

Discussion

In many ways, the results of this descriptive study set some benchmarks for future research on the policies and practices concerning anonymous sources of large newspapers and television stations. Despite recent criticism of the unprofessional and misleading use of anonymous sources, only about one in four large news organizations has a formal, written policy concerning the use of such sources in stories. About a third of the newspapers have formal policies, but fewer than a fifth of the television stations do.

Most policies stress that anonymous sources be used with great care. Editors must be told the names of such sources. Confidentiality is granted only as a last resort and the information obtained from unnamed sources must be verified. Newspaper policies are somewhat more rigorous than television station policies.

About 43 per cent of the news executives reported that the Janet Cooke/*Washington Post* case and similar incidents had not affected the policies of their news organizations. The remaining 57 per cent indicated that the most prevalent effects had been to prompt them to scrutinize more carefully the accuracy of information obtained from sources who want to remain anonymous, to demand that editors know the names of such sources and to check more thoroughly the credentials of prospective employees.

SELF-IMMOLATION IGNITES DEBATE

By Chris Waddle
The Anniston Star

When a soldier sees a comrade shoot himself in the foot, he can laugh. Or he can check the safety mechanism on his own rifle.

A WHMA-TV news crew from Anniston, Ala., filmed 37-year-old Cecil Andrews as he set fire to himself in the otherwise deserted town square of nearby Jacksonville on the evening of Friday, March 4.

The camera operator adjusted his focus on the can of charcoal lighter fluid Andrews had used to douse himself. After 15 seconds Andrews' first match went out. Still the camera kept its gaze as Andrews poured more lighter fluid on a pants leg and fumbled with the matches.

The camera recorded him as he fanned the flames, which grew and spread until the image inside the camera reflected a fully engulfed man-on-fire streaking across the square.

A fireman from a station on the square doused the victim. Policemen in a nearby station winced afterwards that they had not been present to avert the tragedy. Tipped by the TV station, officers had cruised the square 45 minutes before the camera crew — and the man who would burn himself — arrived.

Reverberations from the incident did not die out for weeks.

Andrews lived to tell about the ordeal he brought on himself, his regret at self-immolation and his sorrow that the TV crew didn't try to prevent his act.

Station management went through some tortuous explanations about television's right to cover news. It also explained how Andrews repeatedly had called the crew which, in turn, called police to make sure officers would meet them at the scene.

Andrews would come out in the open when the camera crew showed up, police would nab him and all would be heroes recorded in the unblinking eye of the camera, according to that hoped-for scenario.

The police wondered if they and the media had done everything right.

Members of the public generally perceived the event as one of those crazy things that can happen in a small town on a Friday night.

Ah, but the community of journalists. They made much more of the happening, both as a news story and as a springboard for discussion of ethics.

The first report in *The Anniston Star* carried the headline, "Jacksonville Man Ignites Himself Before TV Camera."

The *New York Times* carried essentially the same page one story within a week, after which a dozen or more national desks of TV networks and world class papers either sent reporters or conducted phone interviews with as many of the principals in the story as possible.

For some assignments editors it might have been a tale about a sordid little attempt at self-immolation in a southern Gothic setting.

The seriousness of the offense against self fueled some interest. Who can remember a protest of this kind since Vietnam?

But for many journalists, the story was really about journalism and the basic question was why didn't the cameraman and his assistants lay down the camera and douse the flames? And was the story they went to cover *really* news?

For others, there was the question of whether the crew's presence spurred an act that otherwise wouldn't have occurred.

Broadcast journalists threw at print journalists the analogy of suicide attempts from well-known skyscrapers that newspapers have covered. The rejoinder was that format permits a print reporter and cameraman to view a scene with discretion, while the broadcast medium puts them into the sphere of action.

Back and forth went the arguments.

WHMA refused to show the scene its camera recorded, to protect the identity and future chances of self-respect for the victim-perpetrator. Each major TV network did show the footage.

A press critic later reconstructing the coverage learned that each network gave a different and inaccurate account of the victim's hospital condition. That suggested to the critic that network producers were more interested in televising the grisly film than in honestly and ethically reporting a story justifying national attention.

So much was said in the name of journalism following the town square incident that it came to be time to check safety mechanisms.

H. Brandt Ayers, editor and publisher of *The Anniston Star* and owner — with his sister — of WHMA-TV, came up with the technique. Ayers suggested his paper and his TV station, which has since been sold under an FCC divestiture order, join with the National News Council and Jacksonville State University in sponsoring an ethics symposium for police and press.

Gathered with Ayers on the panel were Bill Arthur, director of the National News Council; Elmo Ellis, retired vice president and general manager of WSB Radio, Atlanta; Ms. Robin McDonald, police reporter of *The Star*; Zeke Segal, director of special projects at CBS News, and George Watson, vice president for news of ABC-TV.

From the police ranks were Dr. Tom Barker, dean of the university's College of Criminal Justice; Anniston Police Chief Wayne Chandler; James Evans, Montgomery, Ala., district attorney; Jerald Grohowski, former Pentagon spokesman; Jacksonville Police Chief Paul W. Locke Jr.; Dr. Tom Nicholson, associate professor of criminal justice at Jacksonville State, and Dr. Gene Stephens, associate professor of criminal justice at the University of South Carolina and a former political and investigative journalist for more than 16 years with the *Atlanta Times, Cincinnati Enquirer, Atlanta Constitution* and United Press International.

The day-long discussions covered a variety of "what-if" scenarios forcing instant ethical judgments of journalists and peace officers. Younger reporters and officers were exposed to the world of conflict involving their professions, conflict with no easy answers other than the need to be prepared.

After the discussion, moderator David Olive, a Birmingham attorney, fumbled for a good summation, then offered the chance to the various panel members. The best summing-up came from an unidentified college student in the audience. He addressed these remarks to the police and press during an ending Q and A session:

"I do hope you gentlemen take into consideration — I know you have — of what happened. We can all learn something from it. There is a way to present the news. I think the ethical values have to be stressed. Everybody has an ethical code. I'm not saying put restrictions on our news media, because that is something our country doesn't need. We are blessed with a freedom here. But there have to be certain guidelines, and it is up to you gentlemen to be sure these are carried through."

Stephens, the journalist turned criminal justice professor, reacted to the human element that can face both police officers and journalists by reminding members of both professions that they are first members of the human race.

"We are not too concerned about media events which in turn try to destroy people's lives," said Stephens. And he recounted a Columbia, S.C., incident in which a man threatening to jump off a bridge first called for media coverage.

"The first reporter there was a guy named Joe Pinter," Stephens said. "He talked him out of jumping off the bridge. He spent his time doing that and let somebody else cover the event. I think we are human beings first."

* * *

In the hurly burly of the 1970s, newspaper editors found they didn't have a game plan for dealing with many of the tumultuous events that were going on.

When militants seized a public building in Washington, D.C., reporters did more talking with them than the authorities did, simply by calling into the building on phones.

So, it became important to papers to have some guidelines on handling hostage and similar situations.

Over the years, newspapers have developed fair guidelines for dealing with the rights of the accused in criminal justice situations.

Most managing editors have thought out ahead of time how they would handle a request for a reporter to act as a negotiator in a prison riot. They have, for an example, the Attica riot in New York to help them determine how active a role is appropriate for a journalist.

There are enough suicide attempts in public view to warrant a newspaper staff's advance contemplation of how it would handle a situation in which a person threatens his own life in the presence of a journalist.

Here are some questions such a discussion might consider:

— When does the newspaper call the police?

— When does the private attempt on a person's own life become a news assignment?

— Does the journalist at the scene defer to police as he perhaps would at an armed robbery or hostage situation? Or does he go over or around the authorities at the scene for the interview, the dramatic rescue or talk-him-down story?

— What's the role of a press camera at such a scene?

— Does the print journalist have an option perhaps not open to the electronic journalist to keep a conservative distance from such a scene?

— What should a reporter do when a potential suicide asks him to step out on the 12th floor ledge with him?

— Does the journalist have a moral obligation to forget the story and save the life when faced with such a situation?

All the pragmatic questions revolve around a philosophical issue that may never be posed to the vast majority of journalists. Or they can be dismissed as having common sense answers any good print journalist automatically would be ready with.

But what happened to an Alabama TV station can happen to a journalist anywhere. And it could be comforting to an editor to have rehearsed in the minds of his staff a course of conduct appropriate for such a situation.